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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Toshihiro SHIMIZU et al.

Group Art Unit: 3663

Application No.: 09/598,270

Examiner: M. LUU

Filed: June 21, 2000

Docket No.: 106558

For: VEHICLE DRIVE ASSIST SYSTEM

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the April 7, 2006 Election of Species Requirement, Applicants provisionally elect Species I, Figures 1-7. Applicants submit that claims 1-7, 12, 16-23 and 26 read on elected Species I. This election is made with traverse.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicants and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that all of the claims can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Election of Species Requirement be withdrawn.

Respectfully submitted,



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JAO:SMS/axl

Date: May 3, 2006

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